



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
FILLMORE FIELD OFFICE
95 East 500 North
Fillmore, Utah 84631



In Reply Refer to:
3809 (UTW02000)
UTU-78294

February 14, 2012

RECEIVED

CERTIFIED MAIL # 7011 1150 0000 0357 7734
RETURN RECEIPT REQUESTED

FEB 21 2012

DIV. OF OIL, GAS & MINING

DECISION

Robert Steele
1055 North 400 East
Nephi, UT 84648

43 CFR 3809 - Surface Management
Notice

Partial Release of Required Financial Guarantee

Your Notice assigned Bureau of Land Management (BLM) case file number UTU-78294 was inspected on February 2, 2012. The purpose of the site visit was to inspect the reclamation that was reported complete with a request for release of financial guarantee by the Utah Division of Oil, Gas and Mining (UDOGM).

The Notice was for the Hi-Cal mine site for the mining of limestone in Section 24, Township 13 South, Range 2 West, Salt Lake Baseline and Meridian. The inspection found that the mine site was contoured to blend with the surrounding topography and the vegetation on the site has begun to establish itself. The site will require additional time in order for the vegetation to better meet reclamation requirements and another inspection will be required. A portion of your financial guarantee will be maintained to insure the vegetation is developed to an extent to meet the reclamation requirements.

Amount of Financial Guarantee – This office has determined, in consultation with the Utah Division of Oil, Gas, and Mining (UDOGM), that the required financial guarantee that should remain in place is \$6,000.00. Therefore, \$14,060 of the \$20,000.00 financial guarantee currently being held by UDOGM for their mining permit SM/023/071 which corresponds to BLM case file UTU-78294 will be released. The \$6,000.00 financial guarantee that will remain in place is sufficient to meet all anticipated reclamation requirements should the site need to be re-seeded. The amount of the reclamation cost estimate was based on the operator complying with all applicable operating and reclamation requirements.

Appeal of the Decision Determining the Required Financial Guarantee Amount - If you do not agree and are adversely affected by this decision, in accordance with 43 CFR 3809.804, you may request that the Utah BLM State Director review this decision. If you request a State Director review, the request must be received in the Utah BLM State Office, P.O. Box 45155, Salt Lake City, Utah 84145-0155, no later than 30 calendar days after you receive this decision. A copy of the request must also be sent to this office. The request must be in accordance with the provisions provided in 43 CFR 3809.805. If a State Director review is requested, this decision will remain in effect while the State Director review is pending, unless a stay is granted by the State Director. Standards for obtaining a stay are given below. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

If the State Director does not make a decision concerning your request for review of this decision within 21 days of BLM's receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You may contact the Utah BLM State Office to determine when BLM receives the request for State Director Review. You have 30 days from the end of the 21 day period in which to file your notice of appeal with the IBLA (see procedures below). If you wish to bypass a State Director review, this decision may be appealed directly to the IBLA in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in the Fillmore Field Office at, 95 East 500 North, Fillmore, Utah 84631 within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the IBLA, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of this notice of appeal and petition for a stay must also be submitted to each party named in the decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

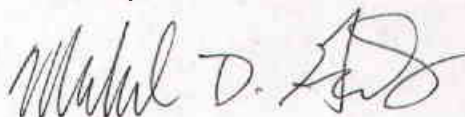
Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

If you have any questions, please contact Jerry Mansfield, FFO Geologist, at (435) 743-3125.

Sincerely,



Michael D. Gates
Field Manager

Enclosure: Form 1842-1

cc:

Paul Baker

UDOGM

1594 W North Temple Ste 1210
Salt Lake City, UT 84114

Opie Abeyta (UT-923)
Utah State Office/ BLM
PO Box 45155
Salt Lake City, UT 84145-0155